REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

Disposition of Claims

Claims 1-27 are pending in this application. Claims 1, 7, 14, and 21 are independent. The remaining claims depend, either directly or indirectly, from claims 1, 7, 14, and 21. By way of this reply, claims 2-4, 8-10, 13, 15-17, 20, 22-24, and 27 have been cancelled without prejudice or disclaimer. Accordingly, claims 1, 5-7, 11-12, 14, 18-19, 21, and 25-26 remain pending.

Claim Amendments

Claim 1 has been amended for clarification, to correct antecedent basis issues, to incorporate the limitations of presently cancelled dependent claim 4, and to add the limitation that the device-specific markup language is associated with an access device. Claims 5 and 6 have been amended to correct typographical errors and for consistency with amended claim 1. No new matter is added by way of these amendments, as support may be found, for example, in presently cancelled claim 4 and page 13, lines 12-23 of the specification.

Claims 7, 14, and 21 have been amended to clarify that the customization is associated with an access device, that the container comprises a markup tag, and to incorporate the limitations of presently cancelled dependent claims 8-10 & 13, 15-17 & 20, and 22-24 & 27, respectively. Claims 11-12, 18-19, and 25-26 have been amended for consistency with amended claims 7, 14, and 21, respectively, and to correct typographical errors. No new matter is added

by way of these amendments, as support may be found, for example, in the presently cancelled claims and page 15, lines 14-26 of the specification.

Rejection under 35 U.S.C. § 102

Claims 1-3 stand rejected under 35 U.S.C. § 102(e) as being anticipated by US Patent Application Publication Number 2002/0107891 (hereinafter "Leamon"). Claims 2-3 are cancelled by way of this reply. Accordingly, the rejection is now moot with respect to claims 2 and 3. To the extent that the rejection applies to amended independent claim 1, the rejection is respectfully traversed.

Amended independent claim 1 of the invention is directed to servicing a request for content from a plurality of channels by a portal server. Specifically, a first markup of a first channel of content, encoded in a generic markup language, is obtained and subsequently rendered to a device-specific markup language associated with an access device. Further, a second markup of a second channel of content, already encoded in the device-specific markup language, is also obtained. Since the second markup is already encoded in the device-specific markup language, it does not require any rendering. The portal server uses the rendered and non-rendered markups to create an aggregated "front page" for presentation to the access device. Accordingly, the front page is created by aggregating the markup that has been rendered and the markup that has not been rendered.

Turning to the rejection of the claims, "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Further, "[t]he identical invention must be shown in as complete detail as is contained in the ... claim" (*see* MPEP § 2131). Applicant respectfully asserts that Leamon does not expressly or inherently describe each and every element of amended independent claim 1.

Specifically, amended independent claim 1 recites, in part, "obtaining a first markup of the first channel of content and a second markup of the second channel of content, wherein the first markup is encoded in a generic markup language and the second markup is encoded in a device-specific markup language associated with an access device" and "aggregating the second markup and the third markup to create a front page." Applicant respectfully asserts that Leamon does not teach or suggest "obtaining ... a second markup of the second channel of content" and "aggregating the second markup and the third markup to create a front page."

Leamon is admittedly directed to reformatting content for display on a client device. However, in *all* cases, *all* of the content supplied by Leamon's invention undergoes a rendering process. In fact, in Leamon, *all* content is obtained using a standard (*i.e.,* generic) markup language, and subsequently rendered to a markup language suitable for display on a client device (*see* Leamon, Fig. 2A and paragraph [0020]). However, as recited in amended independent claim 1, only the first markup is forwarded to the rendering engine – the second markup, *as obtained*, is already encoded in a device-specific markup language associated with the access device, and therefore does not require any rendering. Leamon is completely silent with respect to obtaining a second channel of content, where the second channel of content is already in a device-specific markup language and therefore does not require any rendering. In fact, in Leamon, markup encoded in a device-specific markup language is *always* an output of the rendering process (*see* Leamon, Fig. 2A and paragraph [0020]).

Moreover, since Leamon does not disclose obtaining a second markup of a second channel of content, wherein the second markup is encoded in a device-specific markup language, it follows that Leamon does not disclose "*aggregating* the second markup and the third markup to create a front page." Specifically, in the absence of the second markup (*i.e.,* the markup that

is *already* device-specific), the second channel cannot be aggregated with the third markup (*i.e.,* the markup that results from a rendering of the first markup).

In view of the above, Leamon clearly does not expressly or inherently describe each and every element of amended independent claim 1. Thus, amended independent claim 1 is patentable over Leamon for at least the reasons given above. Accordingly, withdrawal of this rejection is respectfully requested.

Rejection under 35 U.S.C. § 103

Claims 4-9, 14-16, and 21-23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Leamon in view of US Patent Application Publication Number 2004/0267900 (hereinafter "Hoekstra"). Claims 4, 8-9, 15-16, and 22-23 have been cancelled by way of this reply. Accordingly, the rejection is now moot with respect to these cancelled claims. To the extent that the rejection applies to the amended claims, the rejection is respectfully traversed.

In order to establish a *prima facie* case of obviousness, "[f]irst, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all claim limitations" (*see* MPEP § 2143). Further, "*all* words in a claim must be considered in judging the patentability of that claim against the prior art [emphasis added]" (*see* MPEP § 2143.03). Applicant respectfully asserts that the references, when combined, fail to teach or suggest all the limitations of amended claims 5-7, 14, and 21.

Turning to the rejection of claims 5-6, these claims depend, either directly or indirectly, from amended independent claim 1. As discussed above, Leamon fails to teach or suggest all the limitations of amended claim 1. Further, Hoekstra fails to supply that which Leamon lacks.

Specifically, Hoekstra is directed to querying a client device to determine dynamic client properties (such as available resources, etc.), and customizing content provided to the client device based on those properties. If a content provider is enabled to provide content that may be customized based on particular dynamic properties, it queries the client device for the values of those properties (*see* Hoekstra, Fig. 2 and paragraphs [0021-0029]). However, in all embodiments, Hoekstra is directed to customizing only a *single* channel of content. Conversely, the invention, as recited in the amended claims, is specifically directed to handling a request for a *first* channel of content and a *second* channel of content – *i.e.,* a *plurality* of channels of content – via aggregation. Clearly, since Hoekstra is directed to customizing only a single channel of content, Hoekstra does not provide any teaching of a first channel of content and a second channel of content as claimed. Further, in addition to being limited to a single channel of content, Hoekstra is completely silent with regard to any sort of content aggregation. Accordingly, Hoekstra cannot possibly teach or suggest what Leamon lacks: namely, "obtaining … a second markup of the second channel of content" and "aggregating the second markup and the third markup to create a front page."

In view of the above, Leamon and Hoekstra, whether viewed separately or in combination, fail to teach or suggest all the limitations of amended independent claim 1. Thus, amended independent claim 1 is patentable over Leamon and Hoekstra for at least the reasons given above. Amended claims 5-6 depend, either directly or indirectly, from amended independent claim 1 and are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Turning now to the rejection of claims 7, 14, and 21, amended claim 7 recites, in part, "as a first option, changing from a default file path containing a generic markup language to a file path containing a customized template associated with the access device, wherein the markup of the content is processed according to the customized template; and as a second option, encapsulating device-specific markup in a container, wherein the container prevents rendering of the device-specific markup to the generic markup language, and wherein the container comprises a markup tag." Applicant respectfully asserts that the references, when combined, fail to teach or suggest all the limitations of amended claim 7.

Specifically, neither Leamon nor Hoekstra teach or suggest "changing from a default file path containing a generic markup language to a file path containing a customized template associated with the access device." In fact, a complete study of both Leamon and Hoekstra reveals that *neither* reference makes *any* mention of a file, path, or file path. Clearly, in the complete absence of the terms "file" and "path", the aforementioned references cannot be reasonable construed to explicitly or inherently teach or suggest "changing from a default file path containing a generic markup language to a file path containing a customized template associated with the access device."

Further, neither Leamon nor Hoekstra teach or suggest "encapsulating device-specific markup in a container, wherein the container prevents rendering of the device-specific markup to the generic markup language, and wherein the container comprises a markup tag." In supported of this rejection, the Examiner has equated the "proprietary application" and "independent application" of Leamon and the "content provider" of Hoekstra with the concept of a "container" as claimed (*see* Office Action dated February 10, 2006, pages 5-6). However, amended independent claim 7 recites, in part, "wherein the container comprises a markup tag," as

supported by page 15, lines 14-26 of the Specification. Specifically, the container is not a location where the encapsulating occurs, but rather one or more markup tags encapsulating markup that will not be rendered to the generic markup language. Thus, an application or content provider is clearly not equivalent to the container of the present invention.

Moreover, even assuming *arguendo* that Leamon and/or Hoekstra teach the concept of a container wherein the container comprises a markup tag, neither Leamon nor Hoekstra teach or suggest a container, where the container includes functionality to prevent rendering of the device-specific markup to the generic markup language, as recited in the claims.

In view of the above, Leamon and Hoekstra, whether viewed separately or in combination, do not teach or suggest all the limitations of amended claim 7. Thus, amended claim 7 is patentable over Leamon and Hoekstra for at least the reasons given above. Amended claims 14 and 21 contain substantially the same limitations as amended claim 7 and are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 10-13, 17-20, and 24-27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Leamon in view of Hoekstra and further in view of U.S. Patent Application Publication Number 2002/0161928 (hereinafter "Ndili"). Claims 10, 13, 17, 20, 24, and 27 have been cancelled by way of this reply. Accordingly, the rejection is now moot with respect to these cancelled claims. To the extent that the rejection applies to the amended claims, the rejection is respectfully traversed.

As discussed above, amended claims 7, 14, and 21 are patentable over Leamon and Hoekstra, whether viewed separately or in combination. Further, Ndili fails to supply that which Leamon and Hoekstra lack, as evidenced by the fact that the Examiner has relied on Ndili solely to disclose "wherein the first content includes a device-specific template," "wherein the first

container includes a generic markup language template," "wherein the generic markup language includes abstract markup language," and "wherein the tagging prevents a translation of the device-specific template" (*see* Office Action dated February 10, 2006, pages 6-8).
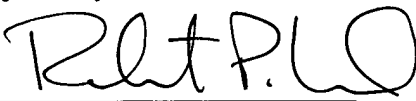
In view of the above, Leamon, Hoekstra, and Ndili, whether viewed separately or in combination, fail to teach or suggest all the limitations of amended claims 7, 14, and 21. Thus, amended claims 7, 14, and 21 are patentable over Leamon, Hoekstra, and Ndili for at least the reasons given above. Amended claims 11-12, 18-19, and 25-26 depend, either directly or indirectly, from amended claims 7, 14, and 21, respectively, and are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 03226/511001).

Dated: May 10, 2006　　　　　　　　　Respectfully submitted,

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Attachments: Clean Copy of Amendments to the Specification

CLEAN COPY OF AMENDMENTS TO THE SPECIFICATION

This application is related to the commonly assigned copending U.S. Patent Application "A METHOD AND SYSTEM FOR CLIENT AWARE CONTENT AGGREGATION AND RENDERING IN A PORTAL SERVER" by Sambhus et al., filed on July 16, 2003, Serial No. 10/622,047, Attorney Docket No. 03226/448001; SUN030086, and "A METHOD AND SYSTEM FOR RESPONSE BUFFERING IN A PORTAL SERVER FOR CLIENT DEVICES" by Batchu et al., filed on July 16, 2003, Serial No. 10/621,918, Attorney Docket No. 03226/504001; SUN030062, which are both incorporated herein in their entirety.